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09/613,340	07/10/2000	Michael Rogerson	12194-1/JWE	9761

7590 07/18/2003  
Stradling Yocca Carlson & Rauth  
1600 Newport Center Drive  
Suite 1600  
Newport Beach, CA 92660

EXAMINER

CORNWELL, BRIAN I

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 07/18/2003

6

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/613,340

Applicant(s)

ROGERSON, MICHAEL

Examiner

Brian Cornwell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### *Drawings*

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "18" has been used to designate both upper bus and lower bus in Fig.1. Also in Fig.1, reference character "22" points to the DVD stack and SATCOM2 (also in Specification [pg11 ln8 & pg12 ln9]). In Fig.5, reference character "70" points to the HDD and the NID.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign not mentioned in the description: 64.
3. Fig.1 is also objected to because the top bus (18) separates the processors from the displays contrary to claim 1. Fig.2 is objected to on similar grounds: Displays (12) are shown and not the processors/memory (14), which is also contrary to claim 1.
4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 102*

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who

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has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

6. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

7. Claims 5 rejected under 35 U.S.C. 102(e) as being anticipated by Galipeau et al (6,249,913), cited by the examiner. Galipeau et al discloses an aircraft multimedia communication system. Galipeau et al particularly discloses locationally separate nodes (see fig.1) comprising display, memory and processor (see Fig 12 (226) and col.11 ln.55) as well as seat-to-seat serial cables and harnesses (see fig.1 (20), fig.9b (20) and col.4 ln.31-34). Galipeau et al also particularly discloses interconnecting the nodes to a communication management unit (CMU) via a signal bus (see fig.9a (186), (20)) and further connecting the CMU to multiple bi-directional communication interface devices (see fig.9a (188), (198)). Galipeau et al also teaches real-time communication between multiple, distinct signal sources and the CMU (see fig.9a (186), (198), and (188)) as claimed.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 1-4, 7-9 rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau et al (6,249,913) in view of Kindell et al (5,630,067), both cited by the examiner.

10. As to Claim 1, Galipeau et al discloses everything except the configuration of nodes into a distributed server network architecture. Galipeau et al particularly discloses an aircraft multimedia communication system having nodes comprising display, memory and processor (see Fig 12 (226) and col.11 ln.55) as well as seat-to-seat serial cables and harnesses (see fig.1 (20), fig.9b (20) and col.4 ln.31-34). Kindell et al discloses a multimedia computer network employing client and server functionality on individual computers (see col.3 ln.59-61) for the purpose of distributing data to multiple clients from multiple servers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace Galipeau et al's client-server architecture to Kindell et al's distributed client-server architecture for the price/performance advantages, especially the reduction of data flow "bottlenecking".

11. As to claim 2, the modification of claim 1 above yields network nodes of the distributed network at the display devices (see fig.3 and col.8 ln.49-61), as claimed.

12. As to claim 3, as noted above, the nodes of the distributed network act as servers in the distributed server network architecture. Galipeau et al particularly discloses the serving of multiple applications and data from multiple sources (see fig.12 (192),(198), and col.2 ln.59).

13. As to claim 4, as noted above, the nodes of the network serve multiple applications and data, which includes email, Web content, video, and telephony, as claimed.

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14. As to claim 7, Galipeau et al discloses everything except the configuration of nodes into a distributed server network architecture. Galipeau et al discloses an aircraft multimedia communication system. Galipeau et al particularly discloses locationally separate nodes (see fig.1) comprising display, memory and processor (see Fig 12 (226) and col.11 ln.55) as well as seat-to-seat serial cables and harnesses (see fig.1 (20), fig.9b (20) and col.4 ln.31-34). Galipeau et al also particularly discloses interconnecting the nodes to a communication management unit (CMU) via a signal bus (see fig.9a (186), (20)) and further connecting the CMU to multiple bi-directional communication interface devices (see fig.9a (188), (198)). Galipeau et al also teaches real-time communication between multiple, distinct signal sources and the CMU (see fig.9a (186), (198), and (188)) as claimed. Kindell et al discloses a multimedia computer network employing client and server functionality on individual computers (see col.3 ln.59-61) for the purpose of distributing data to multiple clients from multiple servers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to replace Galipeau et al's client-server architecture to Kindell et al's distributed client-server architecture for the price/performance advantages, especially the reduction of data flow "bottlenecking".

15. As to claim 8, the modification of claim 7 above yields network nodes of the distributed network at the display devices (see fig.3 and col.8 ln.49-61), as claimed.

16. As to claim 9, as noted above, the nodes of the distributed network act as servers in the distributed server network architecture. Galipeau et al particularly discloses the serving of multiple applications and data from multiple sources (see fig.12 (192), (198), and col.2 ln.59).

17. Claim 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Galipeau et al (6,249,913) in view of Hadinger (6,512,921), both cited by the examiner. As shown above,

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Galipeau et al discloses everything in claim 5 on which this claim depends. Galipeau et al also discloses a satellite constellation providing content (see fig.12 (242) and col.12 ln.57-63) and a broadband bi-directional VHF communication medium (see Fig.12). Galipeau et al lacks only the 2<sup>nd</sup> satellite constellation providing distinct content as claimed. Hadinger discloses multiple satellites delivering distinct content (see Fig.2 and col.1 ln.18-30) for the purpose of receiving various types of data in a vehicle. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Galipeau et al's communications system to include an additional satellite and content as taught by Hadinger to obtain an enhanced degree of variability and economy.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Cornwell whose telephone number is 703-305-6955. The examiner can normally be reached on M-F 6-4 (alternate Fridays off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on 703-305-4795. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.


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BIC

July 1, 2003

  
JOHN MILLER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600